



KERALA GAZETTE

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PART I

Notifications and Orders issued by the Government

Labour and Rehabilitation Department

Labour and Rehabilitation (A)

ORDER

G O. (Rt.) No. 247/2012/LBR.

Thiruvananthapuram, 16th February 2012.

Read:—(1) G. O. (Rt.) No. 1896/2009/LBR dated 3-12-2009.

(2) Letter dated 3-6-2010 from the General Secretary, KUPW Union Malakkappara Estate, Pariyaram P. O., (via.) Chalakudy, Thrissur District.

(3) Letter No. (4) 17349/10 dated 6-1-2011 from the Labour Commissioner, Thiruvananthapuram.

An industrial dispute between the management of Tata Tea Limited Malakkappara Estate, Pariyaram P. O., (via.) Chalakudy, Thrissur-680 721 and the workers of the Company had been referred for adjudication vide order read as 1st paper above.

As per the letter read as 2nd paper above, the General Secretary has requested Government to change the address of the 1st party as General Secretary, Plantation Workers Union (HMS) Malakkappara Estate, Pariyaram P. O., (via.) Thrissur District. As per the letter 3rd above the Labour Commissioner has recommended the request in the letter 2nd cited to amend the address of the 1st party Union.

Government have examined the matter in detail and are pleased to change the address of the management as Senior Manager, Tata Coffee Limited, Malakkappara Estate, Pariyaram P. O., (via.) Chalakudy, Thrissur District and that of the 1st party Union as General Secretary, Plantation Workers Union (HMS), Malakkappara Estate, Pariyaram P. O., Chalakudy, Thrissur District.

The Government Orders read as 1st paper above stands modified to the above extent.

By order of the Governor,

S. REHNA BEGUM,

Deputy Secretary to Government.

ORDERS

(1)

G . O. (Rt.) No. 254/2012/LBR.

Thiruvananthapuram, 16th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Sri K. N. Gopalakrishnan, Managing Partner, P. R. Combines, Chalappuram, Kozhikode and the workmen of the above referred establishment represented by the General Secretary, Kozhikode District Motor & Engineering Workers Union, CITU, Pootheri Building, Pavamani Road, Kozhikode in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kozhikode. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the denial of employment to Sri P. C. Reghuthaman, goods auto driver, by the management of P. R. Combines, Chalappuram, Calicut-673 002, is justifiable? If not, what relief he is entitled to?

(2)

G . O. (Rt.) No. 255/2012/LBR.

Thiruvananthapuram, 16th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between the General Secretary, Ernakulam District Private Bus Operators Association, Association Building, Palarivattom Junction, Kochi-25 and the workman of the above referred establishment Sri K. Narayankutty, Thattamparambu House, Ambattukavu, Thalikkattukara P. O., Aluva-683 106 in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether the fixation of superannuation age as 55 years by the management and compulsory superannuation of Sri K. Narayankutty, Salesman-cum-Attender at the age of 55 years by the Management of Ernakulam District Private Bus Operators Association is justifiable?
2. If not, what are the reliefs entitled to the workman?

(3)

G . O. (Rt.) No. 258/2012/LBR.

Thiruvananthapuram, 16th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Sri George Thomas, Sakthi Auditorium, A. S. Road, Arattuvazhi, Alappuzha-3 and the workman of the above referred establishment Sri D. Sureshkumar, Mattathil Veedu, Kaithvana, Alappuzha in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kollam. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the termination of service of Sri D. Sureshkumar, worker, Sakthi Auditorium, A. S. Road, Arattuvazhi, Alappuzha, by the management is justifiable? If not what are the reliefs he is entitled to?

(4)

G . O. (Rt.) No. 259/2012/LBR.

Thiruvananthapuram, 16th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Smt. V. Sathi, Managing Partner, Hotel Sudarsan, Parameswar Nagar, Kollam-691 004 and the worker of the above referred establishment represented by the General Secretary, Quilon Hotel & Tea Shop Workers Union, INTUC, Mundaykkal, Kollam in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kollam. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether there is denial of employment to Smt. M. R. Reena, receptionist with effect from 29-3-2011 by the management of Hotel Sudarsan, Kollam. If yes what reliefs the worker is entitled to?

(5)

G . O. (Rt.) No. 271/2012/LBR.

Thiruvananthapuram, 18th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between the Managing Director, Dynamic Techno Medicals Private Ltd., P. B. No. 45, Asokapuram, Aluva-683 101 and the workman of the above referred establishment Sri Rajendran, T. H., S/o Hariharan, Thoppil Veedu, Thooyithara, North Paravoor in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether the denial of employment to Sri T. H. Rajendran, Security Supervisor from 28-5-2011 by the management of Dynamic Techno Medicals Private Limited, Asokapuram, Aluva is justifiable?

2. If not, what are the reliefs he is entitled to ?

(6)

G . O. (Rt.) No. 276/2012/LBR.

Thiruvananthapuram, 22nd February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Sri Devan C. Joshi, S/o Chandrakanth Joshi, Vision Care Opticals, Fort Road, Kannur and the workman of the above referred establishment Smt. M. Sajina, D/o Pavithran, Azheekal, Azheekal North Amsham, Kannur in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kannur. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the denial of employment to Smt. Sajina, M., Salesgirl with effect from 18-7-2011 by the management of Vision Care Opticals, Kannur is justifiable or not? If not, what relief the worker is entitled to?

(7)

G . O. (Rt.) No. 277/2012/LBR.

Thiruvananthapuram, 22nd February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Sri Moitheen Haji, Proprietor, KBS Drinks Mankadavu, Kunnumpuram, P. O. Aroly, Kannur and the workman of the above referred establishment Sri K. Subrahmanian, s/o Kunhikannan, Kottayi House, Punnakkulangara, Near KAP Camp, Kannur in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kannur. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the denial of employment to Sri K. Subrahmanian, Machine Operator by the management of K. B. S. Drinks is justifiable? If not, what relief the worker is entitled to?

(8)

G . O. (Rt.) No. 278/2012/LBR.

Thiruvananthapuram, 22nd February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Sri Johnson, S. M. Dental Solutions Pvt. Ltd., Puthiyatheru, Kannur and the workmen of the above referred establishment Sri E. Kunhiraman, Nambradath House, Hajimotta P. O., Kallyasseri, Mangad, Kannur in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kannur. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the denial of employment to Sri E. Kunhiraman, Watchman with effect from 1-2-2011 by the management of S. M. Dental Solutions Pvt. Ltd., Puthiyatheru, Kannur is justifiable or not? If not, what relief the worker is entitled to?

(9)

G . O. (Rt.) No. 304/2012/LBR.

Thiruvananthapuram, 25th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between (1) the Managing Director, Harrison Malayalam Ltd., Bristo Road, Wellington Island, Kochi-682 003, (2) the Manager, Wallardie Estate,

Vandiperiyar-685 533 and the workmen of the above referred establishment represented by the Secretary, Peermade Thottam Thozhilali Union (CITU), P. R. Centre, Vandiperiyar-685 533 in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Idukki. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

1. Whether the dismissal of C/R. No. 3017, Ramayya, worker of Wallardie Estate, Vandiperiyar by the management of the estate is justifiable?

2. If not, what reliefs the workman is entitled to ?

(10)

G . O. (Rt.) No. 310/2012/LBR.

Thiruvananthapuram, 27th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between Smt K. Omana, (Old address: Manju Nivas, Vazhuvadi, Thazhakkara, Mavelikkara) Rani Flat, Puthankulam P. O., Poothakulam, Kollam-691 302 and the workman of the above referred establishment Sri P. C. Madhusoodhanan, Madhu Bhavanam, Iravangara Ward, Thazhakkara, Mavelikkara-690 108 in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Kollam. The Labour Court will pass the award within a period of three months.

ANNEXURE

Whether the denial of employment to Sri P. C. Madhusoodhanan, Tapper in the Rubber Plot Estate No. PD/PT/404-83A by Smt. Omana, employer is justifiable? If not, what relief he is entitled to?

(11)

G . O. (Rt.) No. 311/2012/LBR.

Thiruvananthapuram, 27th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between (1) The Managing Director, Tropical Plantation Ltd., P. B. No. 4, Central Telegraph Office Road, Kottayam-686 001, (2) The Superintendent, Tropical Plantations Ltd., Periyar-Connemara Estate, P. B. No. 15, Vandipperiya-685 533 and the workman of the above referred establishment represented by the Secretary, Highrange Plantations Employees Union (INTUC), Vandipperiya-685 533 in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Idukki. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

1. Whether the dismissal of 1371 Moideen, Employee of Periyar Connemara Estate, Vandipperiya P. O. by the management of the estate is justifiable ?
2. If not, what relief the workman is entitled to ?

(12)

G . O. (Rt.) No. 312/2012/LBR.

Thiruvananthapuram, 27th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between (1) Smt. Santha Mohanan, Santha Bhavan, Thalayolaparambu P. O., Kottayam, (2) Sri K. S. Sajumon, Santha Bhavan, Thalayolaparambu P. O., Kottayam and the workman of the above referred establishment Sri M. B. Biju, Kottom Thuruthil Veedu, Padinjarekkara P. O., Vaikkom, Kottayam in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Idukki. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

1. Whether the denial of employment to Sri M. B. Binu, 'Waiter', Pankaj Bar & Restaurant, Thalayolaparambu, Kottayam by the management is justifiable?
2. If not, what relief the workman is entitled to ?

(13)

G . O. (Rt.) No. 313/2012/LBR.

Thiruvananthapuram, 27th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between The Managing Director, M/s. Telk Ltd., Angamaly and the workmen of the above referred establishment represented by (1) Technical Employees and Staff Association of Telk (TESAT), Angamaly (2) Telk Workers Congress (INTUC), Angamaly (3) Telk Employees Union (CITU), Angamaly (4) Telk Officers Forum, Angamaly in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Alappuzha. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

1. Whether the allegation of Trade Unions of TELK that non-implementation of clause No. 4.40 of long term settlement dated 6-6-2007, is justifiable ?
2. If yes, what remedy they are entitled to ?

(14)

G . O. (Rt.) No. 314/2012/LBR.

Thiruvananthapuram, 27th February 2012.

Whereas, the Government are of opinion that an industrial dispute exists between (1) The Chief Executive Officer & Administrative Director, Indo-American Hospital, Brain & Spine Centre, Unit of Bahuleyan Charitable Foundation Chemmanakari, Vaikkom, Kottayam-686 143 (2) The Managing Director, Indo-American Hospital, Brain & Spine Centre, Unit of Bahuleyan Charitable Foundation Chemmanakari, Vaikkom, Kottayam-686 143 and the workman of the above referred establishment

Sri Udayan, D., Vadakkemoolathara, Chemmanakari, Akkarappadam P. O., Vaikom, Kottayam-686 143 in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Idukki. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

1. Whether the dismissal from service of Sri Udayan, D., Electrical Supervisor, Indo-American Hospital, Brain & Spine Centre, Unit of Bahuleyan Charitable Foundation, Chemmanakari, Vaikom, Kottayam by the management is justifiable?
2. If not, what relief the workman is entitled to?

(15)

G . O. (Rt.) No. 339/2012/LBR.

Thiruvananthapuram, 3rd March 2012.

Whereas, the Government are of opinion that an industrial dispute exists between The Managing Director, Sahi Rubbers India Ltd., N. A. D. P. O., Nochima, Aluva and the workman of the above referred establishment represented by the Unit President, Ernakulam District, Industrial Estate, Mazdoor Sangh, BMS Office, Pumb Junction, Aluva in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether the denial of employment to the worker Sri A. A. Shiyas by the management of Sahi Rubbers, Nochima is justifiable?
2. If not, what are the reliefs he is entitled to?

(16)

G . O. (Rt.) No. 340/2012/LBR.

Thiruvananthapuram, 3rd March 2012.

Whereas, the Government are of opinion that an industrial dispute exists between (1) The Managing Director, Falcon Infrastructures Limited, P. B. No. 4030, Puthiya Road Junction, Udyogamandal P. O.-683 501, (2) The Manager, Paragon Service Agency, Edappally, Kochi-24 and the workman of the above referred establishment Sri Parameswaran, C. K., Chithukulam, Nikathil Veettil, Kadamangalam, North Paravoor, Ernakulam-683 513 in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether the denial of employment to Sri C. K. Parameswaran, Driver by the management of Falcon Infrastructures Limited is justifiable?
2. If not, what are the reliefs he is entitled to ?

(17)

G . O. (Rt.) No. 341/2012/LBR.

Thiruvananthapuram, 3rd March 2012.

Whereas, the Government are of opinion that an industrial dispute exists between the Senior Manager (HR), Hindalco Industries Limited, Alupuram Works, P. B. No. 30, Kalamassery, Ernakulam and the workmen of the above referred establishment represented by Sri C. M. Hameed, General Secretary, Aluminium Company Thozhilali Union, Regn. No. 07/67/90, Alupuram P. O., Udyogamandal-683 504 in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether the termination of employees of S/Sri (1) Asharaf, N. A., M. H. Man II, (2) Anilkumar, A.. B., Serviceman, (3) Sadasivan, M. N., Tapper by the management of Hindalco Industries Limited, Alupuram works P. B. No. 30, Kalamassery, Ernakulam, Kerala is justifiable?
2. If not, what are the reliefs they are entitled to ?

(18)

G . O. (Rt.) No. 342/2012/LBR.

Thiruvananthapuram, 3rd March 2012.

Whereas, the Government are of opinion that an industrial dispute exists between the President, Mamalakandam Service Co-operative Bank, I 225, Mamalakandam P. O., Kothamangalam, Ernakulam and the workman of the above referred establishment Smt. Pushpa, P. K., Palayil Veedu, Mamalakandam P. O., Mamalakandam, Kothamangalam, Ernakulam in respect of matters mentioned in the annexure to this order ;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. Whether there is denial of employment to Smt. Pushpa, P. K. by the management of Mamalakandam Service Co-operative Bank Ltd. I 225?
2. If yes, what relief she is entitled to ?

By order of the Governor,

A. JUMAILA BEEVI,
Under Secretary to Government.
